

1 GENERAL GOVERNMENT CABINET

2 Board of Alcohol and Drug Counselors

3 (Amendment)

4 201 KAR 35:075. Substitution for work experience for an applicant for certification as an alcohol
5 and drug counselor.

6 RELATES TO: KRS 309.083, 309.0831, 309.0832, 309.0833

7 STATUTORY AUTHORITY: KRS 309.0813(1), (3), (5), 309.083, 309.0831, 309.0832,
8 309.0833

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.0813(1) authorizes the board
10 to promulgate administrative regulations for the administration and enforcement of KRS 309.080
11 to 309.089. KRS 309.083, 309.0831, 309.0832, ~~[and]~~ 309.0833, 309.0841, and 309.0842 establish
12 the standards for the accumulation of the required supervised work experience. This administrative
13 regulation establishes the requirements for substituting education for work experience
14 requirements for an applicant for certification as an alcohol and drug counselor.

15 Section 1. Substitution for Work Experience for an Applicant for Certification as an
16 Alcohol and Drug Counselor under KRS 309.083. (1) An applicant may substitute, for part of the
17 work experience, a degree in a related field such as:

18 (a) Addictions;

19 (b) Counseling;

20 (c) Psychology;

21 (d) Psychiatric nursing; or

1 (e) Social work.

2 (2) An applicant may request to substitute an educational degree for part of the required
3 work experience by submitting KBADC Form 12, Workplace Experience Substitution Request, to
4 the board along with transcripts from an accredited college or university.

5 (3) Educational substitution shall be reviewed and approved by the board based upon
6 education relative to the delivery of alcohol and other drug counseling.

7 (a) A master's degree or higher in a related field, with a specialization in addictions or drug
8 and alcohol counseling, may be substituted for 4,000 hours of work experience.

9 (b) A master's degree or higher in a related field, without the specialization in paragraph
10 (a) of this subsection, may be substituted for 3,000 hours of work experience.

11 (c) A bachelor's degree in a related field may be substituted for 2,000 hours of work
12 experience.

13 (d) A bachelor's degree in an unrelated field shall not qualify for a substitution of hours,
14 and the applicant shall provide proof of 6,000 hours of work experience as established in KRS
15 309.083(3).

16 (4) The hours of work experience shall be documented on the candidate's application for
17 certification and shall contain verification by the supervisor.

18 Section 2. Incorporation by Reference. (1) "KBADC Form 12, Workplace Experience
19 Substitution Request", March 2021~~[June 2015]~~, is incorporated by reference.

20 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
21 law, at the Kentucky Board of Alcohol and Drug Counselors, 500 Mero St, 2 SC 32~~[911 Leewood~~
22 ~~Drive]~~, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. The board's Web
23 site address is: <https://adc.ky.gov>.

201 KAR 35:075
READ AND APPROVED:



February 25, 2021

Tim Cesario
Chair, Kentucky Board of Alcohol and Drug
Counselors

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held at 9:00 AM on May 24, 2021 at 500 Mero Street, 127CW, Frankfort, Kentucky 40601. In the event the building is not open to the public on May 24, 2021, including if the declared State of Emergency in Executive Order 2020-215 and the State of Emergency Relating to Social Distancing in Executive Order 2020-243 are not rescinded by May 24, 2021, this hearing will be held by video teleconference, in which event members of the public wishing to attend may utilize the following link:

<https://us02web.zoom.us/j/88015845024?pwd=WnhsNmR3SGJwRXM0YktrM1psbkVxZz09>
Password: 203666

Or Telephone:

Dial:

USA 713 353 0212

USA 8888227517 (US Toll Free)

Conference code: 995892

Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on May 31, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

Contact Person: Kevin R. Winstead

Title: Commissioner, Department of Professional Licensing

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Fax: +1 (502) 564-4818

Email: KevinR.Winstead@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 201 KAR 35:075

Contact Person: Kevin R. Winstead

Phone: +1 (502) 782-0562

Email: KevinR.Winstead@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes what is considered qualified the work experience that may be substituted for actual alcohol and drug counseling work experience required to be credentialed by the board.

(b) The necessity of this administrative regulation: The necessity of this regulation is to establish the work experience required to be credentialed by the board.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations regarding the requirements for work experience required to be credentialed by the board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation will assist an applicant and board to understand the work experience required to be credentialed by the board.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment will change the existing administrative regulation by clarifying that this regulation only applies to applicants for certification as a certified alcohol and drug counselor under KRS 309.083 and no other certificate holders.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to clarify that new credentials created last legislative session do not fall under this regulation.

(c) How the amendment conforms to the content of the authorizing statutes: The amendment conforms to the content of the authorizing statute because the authorizing statute gives the board the ability to promulgate regulations regarding the requirements for work experience required to be credentialed by the board.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in the effective administration of the statutes by clearly identifying who can substitute work experience.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The board is unable to determine the exact number of persons who would be impacted by this regulation since the applications vary from month to month. Future applicants and persons credentialed by the board will be affected by this administrative regulation. As of February 1, 2021 there were 513 licensed clinical alcohol and drug counselors, 21 licensed clinical alcohol and drug counselor associates, 458 certified alcohol and drug counselors, 930 temporary certified alcohol and drug counselors, 95 temporary registered alcohol and drug peer support specialists, and 15 registered alcohol and drug peer support specialists.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: Certified alcohol and drug counselors who want to substitute work place experience will fill out the proper form and submit it to the board.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: There are no new cost associated to the amendment related to the administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities: A credential holder has knowledge of the required work experience as set out in the statute for each credential.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: Initially, there is no additional cost to the administrative body to implement this administrative regulation.

(b) On a continuing basis: On a continuing basis, there is no additional cost to the administrative body to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The board's operations are funded by fees paid by credential holders and applicants.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There are no increases in fees or funding is required to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: There are no new fees or fee increases associated with the amendments.

(9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied as the regulation is applicable to all credential holders. This regulation does not distinguish between similarly situated individuals on the basis of any factor.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation: 201 KAR 35:075

Contact Person: Kevin R. Winstead

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(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Board of Alcohol and Drug Counselors.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 309.0813(1), (3), (5). 309.083, 309.0831, 309.0832, and 309.0833.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This regulation will not generate revenue for state or local government.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This regulation will not generate revenue for state or local government.

(c) How much will it cost to administer this program for the first year? There will be no additional cost to administer this program.

(d) How much will it cost to administer this program for subsequent years? There will be no additional cost to administer this program.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

"KBADC Form 12, Workplace Experience Substitution Request", March 2021 is a one (1) page form that a certified alcohol and drug counselor can submit to have educational achievement substitute for hours of supervised work experience.

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

"KBADC Form 12, Workplace Experience Substitution Request", March 2021 is a one (1) page form that a certified alcohol and drug counselor can submit to have educational achievement substitute for hours of supervised work experience. The board made the following amendments: (1) updated the board's address; and (2) adding the hours of supervised work experience required for each level of education achieved.